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10 The Honorable James L. Robart
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12 UNITED STATES DISTRICT COURT
13 WESTERN DISTRICT OF WASHINGTON AT SEATTLE
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15 ROB RINDE f/k/a ROBERT LARRY LEROY
16 PITSOR, JR.,

17 Plaintiff,
18
19 v.
20
21 THE CORPORATION OF THE PRESIDENT
22 OF THE CHURCH OF JESUS CHRIST OF
23 LATTER-DAY SAINTS, a Utah corporation
24 sole,
25
26 Defendant.

27
28 NO. C07-0348 JLR
29
DEFENDANT'S NONOPPOSITION
TO MOTION TO WITHDRAW
AND REQUEST FOR STATUS
CONFERENCE

NOTED FOR MOTION
CALENDAR:
July 26, 2007

30 Defendant, The Corporation of the President of the Church of Jesus Christ of Latter-Day
31 Saints, has no objection to the withdrawal as counsel of record of Gordon, Thomas, Honeywell,
32 Malanca, Peterson & Daheim LLP and the Law Offices of Timothy D. Kosnoff.
33
34

35 As the withdrawal of all counsel of record in this matter will leave the plaintiff, Rob
36 Rinde, as a pro se party, defendant further requests the Court to set a status conference to be
37 attended by Mr. Rinde, either in person or by phone, preferably at a time convenient to the Court
38 on July 27, 2007.
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DEFENDANT'S NONOPPOSITION TO MOTION TO
WITHDRAW AND REQUEST FOR STATUS
CONFERENCE - 1
No. C07-0348 JLR

GORDON TILDEN THOMAS & CORDELL LLP
1001 Fourth Avenue, Suite 4000
Seattle, WA 98154
Phone (206) 467-6477
Fax (206) 467-6292

1 Defendant requests, in addition to any matter which the Court wishes addressed, that the
2 following subjects be discussed:
3
4

5 **1. Current Trial Schedule.**

6
7 Defendant will be prepared for trial in accordance with the current schedule. The current
8 schedule should be confirmed.
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11 **2. CR 35 Examination.**

12
13 Mr. Rinde is tentatively scheduled for a CR 35 examination before defendant's retained
14 psychologist, Gerald Rosen, Ph.D. This examination is scheduled for August 6, 7 (half day) and
15 9 (half day), 2007. Dr. Rosen's resume is attached as Exhibit 1. These dates were tentatively set
16 with agreement of plaintiff's counsel of record. Correspondence regarding this examination is
17 attached as Exhibit 2. Defendant is uncertain whether or not Mr. Rinde intends to attend the
18 examination.
19
20

21 **3. Deposition of Mary Fleck of the Seattle Law Firm of Rogers & Fleck.**

22
23 Defendant wishes to discuss procedures relating to this deposition as it may involve
24 attorney-client issues. A copy of defendant's counsel's letter of July 5, 2007, to Mr. Rinde's
25 counsel of record and related correspondence is attached as Exhibit 3.
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28 **4. Minnesota Depositions.**

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30 Defendant wishes to discuss general procedures for notice and establishing of dates for
31 certain depositions in Minnesota. This matter has also been previously discussed with plaintiff's
32 counsel of record. Correspondence on the subject is attached as Exhibit 4.
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35 **5. Plaintiff's Deposition.**

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37 Defendant wishes to discuss establishing a date and place for the deposition of Mr. Rinde.
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1 DATED this 30th day of July, 2007.
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10 **GORDON TILDEN THOMAS & CORDELL LLP**
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15 By 
16 Charles C. Gordon, WSBA #1773
17 Jeffrey I. Tilden, WSBA #12219
18 Michael Rosenberger, WSBA #17730
19 Attorneys for Defendant Corporation of the
20 President of the Church of Jesus Christ of
21 Latter-Day Saints
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DEFENDANT'S NONOPPOSITION TO MOTION TO
WITHDRAW AND REQUEST FOR STATUS
CONFERENCE - 3
No. C07-0348 JLR

GORDON TILDEN THOMAS & CORDELL LLP
1001 Fourth Avenue, Suite 4000
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CERTIFICATE OF SERVICE
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I hereby certify and declare under penalty of perjury of the State of Washington that on
July 20, 2007, I arranged to have hand delivered via ABC Legal Messengers a copy of this
document, as well as attachments, for delivery to all counsel of record.

10 Michael T. Pfau
11 Michelle A. Menely
12 Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim LLP
13 600 University, Suite 2100
14 Seattle, WA 98101-4185
15 E-mail: mpfau@gth-law.com
16 E-mail: mmenely@gth-law.com
17 Co-Counsel for Plaintiff Rob Rinde
18
19

20 Timothy D. Kosnoff
21 Law Offices of Timothy D. Kosnoff
22 600 University, Suite 2101
23 Seattle, WA 98101
24 E-mail: timkosnoff@comcast.net
25 Co-Counsel for Plaintiff Rob Rinde
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EXHIBIT
1

GERALD M. ROSEN, PH.D.
CLINICAL PSYCHOLOGIST

117 EAST LOUISA ST.
PMB 229
SEATTLE, WA 98102
grosen@u.washington.edu

PHONE: (206) 322-2700
FAX: (206) 322-5100
LICENSED: WA, AK, OR
www.forensicpcsd.com

CURRICULUM VITAE

EDUCATION

B.S. University of Pittsburgh, Pittsburgh 1967
M.S. University of Wisconsin, Madison 1971
Ph.D. University of Wisconsin, Madison 1972

PROFESSIONAL EXPERIENCE

Clinical Internship
University of Washington School of Medicine, Seattle 1972 - 1973

Visiting Assistant Professor and Research Associate
Department of Psychology, University of Oregon, Eugene 1973 - 1976

Behavior Science Coordinator
Providence Family Medical Center, Seattle 1976 - 1978

*Clinical Faculty: University of Washington and
University of Washington School of Medicine*

Clinical Associate Professor:
Department of Psychiatry & Behavioral Sciences 1984 - 2000
Department of Psychology 1992 - 2000

Clinical Professor:
Department of Psychology
Department of Psychiatry & Behavioral Sciences 2001 - Current
2006 - Current

Curriculum Vitae
Page 2

LICENSES & ACTIVITIES

Licenses/Certifications

Washington #487 1976 - Current
Alaska #553 2005 - Current
Oregon #1734 2006 - Current

American Board of Professional Psychology (ABPP):
Board Certified in Clinical Psychology (#6039)

Association of State and Provincial Psychology Boards (ASPPB):
Certificate of Professional Qualification in Psychology (CPQ #3953)

Associations

Fellow: Association for Psychological Science (APS)
 Council for Scientific Medicine and Mental Health

Member: American Psychological Association (APA)
 Division 12: Clinical Psychology
 Section III: Society for the Science of Clinical Psychology (SSCP)
 Association for Behavioral and Cognitive Therapies (ABCT)
 International Society for Traumatic Stress Studies (ISTSS)

Graduate Seminars: Psychology Dept, University of Washington

Posttraumatic Stress Disorder: Diagnosis and Treatment	1992
After the Trauma: Normal coping or PTSD?	1996
Posttraumatic Stress Disorder: Issues and Controversies	1998

American Psychological Association

Chair, Task Force on Self-Help Therapies. Sponsored by the Committee on Scientific and Professional Ethics and Conduct (CSPEC), American Psychological Association (1978-1979)

Chair, Task Force on Do-It-Yourself Therapies. Sponsored by the Board of Professional Affairs (BPA), American Psychological Association (1990-1991)

Consultant, Public Affairs Office of the American Psychological Association. Development of a brochure on post-traumatic stress disorder, "Reunion and Re-entry: A guide for returning military personnel and loved ones. (1991)

JOURNAL ACTIVITIES

Editorial Board Member

Journal of Consulting and Clinical Psychology (1977-1978)

Contemporary Psychology (1979-1985)

Scientific Review of Mental Health Practice (2002-Current)

Guest Editor

Journal of Anxiety Disorders (2007; Vol. 21, Issue 2). Special issue on *Challenges to the PTSD construct and its database*. Co-edited with B. Christopher Frueh, Ph.D.

Peer Reviewer

Archives of General Psychiatry • American Psychologist

American Journal of Community Psychology • Behavioural & Cognitive Psychotherapy

Behavior Modification • Behavior Therapy • Cognitive Therapy & Research

Contemporary Psychology • Journal of Abnormal Psychology

Journal of Applied Behavior Analysis • Journal of Behavior Therapy & Experimental Psychiatry

Journal of Child & Adolescent Psychotherapy • Journal of Clinical Psychology

Journal of Consulting & Clinical Psychology • Journal of Traumatic Stress

Professional Psychology: Research & Practice • Psychological Bulletin

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Rosen, G.M., & Ross, A.O. (1968). Relationship of body image to self-concept. *Journal of Consulting and Clinical Psychology*, 32, 100.

Rosen, G.M., Rosen, E., & Reid, J.B. (1972). Cognitive desensitization and avoidance behavior: A re-evaluation. *Journal of Abnormal Psychology*, 80, 176-183.

Rosen, G.M. (1974). Therapy set: Its effects on subjects' involvement in systematic desensitization and treatment outcome. *Journal of Abnormal Psychology*, 83, 291-300.

Rosen, G.M. (1974). Is it really necessary to use mildly phobic analogue subjects? *Behavior Therapy*, 6, 68-71.

Rosen, G.M. (1975). Subjects' initial therapeutic expectancies toward systematic desensitization as a function of varied instructional sets. *Behavior Therapy*, 6, 230-237.

Rosen, G.M. (1975). Effects of source prestige on subjects' acceptance of the Barnum effect: Psychologist vs. astrologer. *Journal of Consulting and Clinical Psychology*, 43, 95.

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- Rosen, G.M. (1975). On the persistence of illusory correlations associated with the Rorschach. *Journal of Abnormal Psychology, 84*, 571-573.
- Rosen, G.M. (1976). Associative homogeneity may affect the persistence of illusory correlations, but does not account for their occurrence. *Journal of Abnormal Psychology, 85*, 239.
- Rosen, G.M. (1976). Subjects' initial therapeutic expectancies and subjects' awareness of therapeutic goals in systematic desensitization: A review. *Behavior Therapy, 7*, 14-27.
- Rosen, G.M., & Orenstein, H. (1976). A historical note on thought-stopping. *Journal of Consulting and Clinical Psychology, 44*, 1016-1017.
- Rosen, G.M. (1976). Comments on McGlynn's reactions to Rosen's paper on initial therapeutic expectancies. *Behavior Therapy, 7*, 568-569.
- Rosen, G.M., Glasgow, R.E., & Barrera, M., Jr. (1976). A controlled study to assess the clinical efficacy of totally self-administered systematic desensitization. *Journal of Consulting and Clinical Psychology, 44*, 208-217. Reprinted in C.M. Franks & G.T. Wilson (eds., 1978) *Annual Review of Behavior Therapy: Theory and Practice* (pp. 49-66). New York: Brunner/Mazel, Inc.
- Rosen, G.M. (1976). The development and use of nonprescription behavior therapies. *American Psychologist, 31*, 139-141. Reprinted in D.N. Bersoff (ed., 1995), *Ethical Conflicts in Psychology* (pp. 352-254), Washington, D.C.: American Psychological Association.
- Rosen, G.M. (1977). Non-prescription behavior therapies and other self-help treatments: A reply to Goldiamond. *American Psychologist, 32*, 178-179.
- Barrera, M., Jr., & Rosen, G.M. (1977). Detrimental effects of a self-reward contracting program on client's involvement in self-administered desensitization. *Journal of Consulting and Clinical Psychology, 45*, 1180-1181.
- Rosen, G.M., Glasgow, R.E., & Barrera, M. (1977). A two-year follow-up on systematic desensitization with data pertaining to the external validity of laboratory fear assessment. *Journal of Consulting and Clinical Psychology, 45*, 1188-1189.
- Rosen, G.M., & Fox, H.P. (1977). Do-it-yourself treatment books and the family physician. *Journal of Family Practice, 4*, 598.
- Zeiss, A., Rosen, G.M., & Zeiss, R.A. (1977). Orgasm during intercourse: A six step treatment strategy for women. *Journal of Consulting and Clinical Psychology, 45*, 891-895. Reprinted in J. LoPiccolo and L. LoPiccolo (eds., 1978) *Handbook of Sex Therapy* (pp. 219-225). New York: Plenum Press.
- Rosen, G.M., & Lichtenstein, E. (1977). An employee incentive program to reduce cigarette smoking. *Journal of Consulting and Clinical Psychology, 45*, 957.
- Rosen, G.M. (1978). Suggestions for an editorial policy on the review of self-help treatment books. *Behavior Therapy, 9*, 960.

JOURNALS CONTINUED

- Glasgow, R.E., & Rosen, G.M. (1978). Behavioral bibliotherapy: A review of self-help behavior therapy manuals. *Psychological Bulletin, 85*, 1-23.
- Glasgow, R.E., & Rosen, G.M. (1979). Self-help behavior therapy manuals: Recent developments and clinical usage. *Clinical Behavior Therapy Review, 1*, 1-20. Reprinted in C.M. Franks (ed., 1984), *New Developments in Behavior Therapy* (pp. 525-570). New York: Haworth Press.
- Phillips, W.R., & Rosen, G.M. (1979). Use of psychological tests in family practice residency programs. *Journal of Family Practice, 9*, 504-506.
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- Rosen, G.M. (1985). Review of "The Agoraphobic Syndrome" by Thorpe & Burns (Eds.). *Education and Treatment of Children, 8*, 253-255.
- Rosen, G.M. (1988). Multimodal marketing: The selling of Mind Power. *Contemporary Psychology, 33*, 861-863.
- Rosen, G.M. (1987). Self-help treatment books and the commercialization of psychotherapy. *American Psychologist, 42*, 46-51.
- Rosen, G.M. (1992). A note to EMDR critics: What you didn't see is only part of what you don't get. (Letter to the Editor) *the Behavior Therapist, 15*, 216.
- Rosen, G.M. (1993). Self-help or hype?: Comments on Psychology's failure to advance self-care. *Professional Psychology: Research and Practice, 24*, 340-345.
- Rosen, G.M. (1994). Self-Help Task Forces revisited: A reply to Dr. Lowman. *Professional Psychology: Research and Practice, 25*, 100-101.
- Rosen, G.M. (1995). The *Aleutian Enterprise* sinking and Posttraumatic Stress Disorder: Misdiagnosis in clinical and forensic settings. *Professional Psychology: Research and Practice, 26*, 82-87.
- Rosen, G.M. (1995). On the origin of Eye Movement Desensitization. *Journal of Behavior Therapy and Experimental Psychiatry, 26*, 121-122.
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- Rosen, G.M. (1996). Posttraumatic stress disorder, pulp fiction, and the press. *Bulletin of the American Academy of Psychiatry and the Law, 24*, 267-269.
- Rosen, G.M. (1996). Level II Training for EMDR: One Commentator's View (Letter to the Editor), *the Behavior Therapist, 19*, 76-77.
- Rosen, G.M. & Lohr, J. (1997). Can eye movements cure mental ailments? *National Council Against Health Fraud Newsletter, 20*, 3. Reprinted in *Skeptical Briefs*, 1997, 7, 12.

JOURNALS CONTINUED

- Rosen, G.M. (1997). Welch's comments on Shapiro's walk in the woods and the origin of Eye Movement Desensitization and Reprocessing. *Journal of Behavior Therapy and Experimental Psychiatry*, 28, 247-249.
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- Rosen, G.M., Lohr, J.M., McNally, R., & Herbert, J. (1998). Power Therapies, Miraculous Claims, and the Cures that Fail. *Behavioural and Cognitive Psychotherapy*, 26, 97-99. Reprinted in M. J. Scott & S. Palmer (eds., 2000), *Trauma and Post-traumatic Stress Disorder* (pp. 134-136), London: Cassells.
- Rosen, G.M., McNally, R.J., Lohr, J.M., Devilly, G.J., Herbert, J.D., & Lilienfeld, S. (1998). A realistic appraisal of EMDR. *California Psychologist*, 1998, 31, 25-27. Reprinted in: *Oregon Psychological Association's Newsgram*, 1998, 17, 10-13; *the Washington Psychologist*, 1998, 52, 9-10; *the Virginia Psychologist*, 1999, 42, 11; *Massachusetts Psychological Association's Quarterly*, 1999, 42, 10-11; *the Georgia Psychologist*, 1999, 53, 25; *Missouri Psychologist*, 1999, 11 (2), 7-8; *the Arkansas Psychologist*, 1999, 1, 9-10; *New York State Psychological Association Notebook*, 1999, 11(3), 19.
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- Rosen, G.M. (1999). Treatment fidelity and research on Eye Movement Desensitization and Reprocessing (EMDR). *Journal of Anxiety Disorders*, 13, 173-184.
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- Herbert, J.D., Lilienfeld, S.O., Kline, J., Montgomery, R., Lohr, J., Brandsma, L., Meadows, E., Jacobs, W.J., Goldstein, N., Gist, R., McNally, R.J., Acierno, R., Harris, M., Devilly, G.J., Bryant, R., Eisman, H.D., Kleinknecht, R., Rosen, G.M., Foa, E., Bowman, M., & Roemer, L. (2001). Do no harm: Treatment concerns in the aftermath of terrorist attacks on America [Letter to the Editor]. *Monitor on Psychology*, 32, 4.
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- Rosen, G.M. & Davison, G.C. (2003). Psychology should identify Empirically Supported Principles of Change (ESPs) and not credential trademarked therapies or other treatment packages. *Behavior Modification*, 27, 300-312.
- Rosen, G.M., Sagedam, M., & Loftus, E. (2003). A historical note on false traumatic memories. *Journal of Clinical Psychology*, 60, 137-139.
- Rosen, G.M. (2004). Litigation and reported rates of Posttraumatic Stress Disorder. *Personality and Individual Differences*, 36, 1291-1294.
- Rosen, G.M., & Phillips, W.R. (2004). A cautionary lesson from simulated patients. *Journal of the American Academy of Psychiatry and the Law*, 32, 132-133.
- Rosen, G.M. (2004). Traumatic events, criterion creep, and the creation of pretraumatic stress disorder. *The Scientific Review of Mental Health Practice*, 3, 39-42.
- Rosen, G.M. (2004). Further thoughts on criterion creep and the creation of pretraumatic stress disorder. *The Scientific Review of Mental Health Practice*, 3, 46-47.
- Rosen, G.M., Sawchuk, C., Atkins, D., Brown, M., Price, J.R., & Lees-Haley, P.R. (2006). Risk of false positives when identifying malingered profiles using the Trauma Symptom Inventory. *Journal of Personality Assessment*, 86, 329-333.
- Rosen, G.M. (2006). DSM's cautionary guideline to rule out malingering can protect the PTSD data base. *Journal of Anxiety Disorders*, 20, 530-535.
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- Rosen, G.M., & Frueh, B.C. (2007). Challenges to the PTSD construct and its database: The importance of scientific debate. *Journal of Anxiety Disorders*, 21, 161-163,

JOURNALS CONTINUED

- Rosen, G.M., & Taylor, S. (2007). Pseudo-PTSD. *Journal of Anxiety Disorders*, 21, 201-210.
- Kaysen, D., Rosen, G.M., Bowman, M., & Resick, P.A. (In preparation). Event characteristics and the dose-response model of PTSD.

CHAPTERS

- Rosen, G.M. (1976). A manual for self-administered progressive relaxation. In J.P. Flanders, *Practical Psychology*. New York: Harper & Row. Appendix A.
- Shelton, J.L., & Rosen, G.M. (1980). Self-monitoring by patients. In G.M. Rosen, J.P. Geyman, & R.H. Layton (eds.), *Behavioral Science in Family Practice*. New York: Appleton-Century-Crofts. pp. 171-188.
- Phillips, W.R., & Rosen, G.M. (1980). Psychological testing. In G.M. Rosen, J.P. Geyman, & R.H. Layton (eds.), *Behavioral Science in Family Practice*. New York: Appleton-Century-Crofts. pp. 189-199.
- Barrera, M., Jr., Rosen, G.M., & Glasgow, R.E. (1981). Rights, risks and responsibilities in the development and use of self-help psychotherapies. In J.T. Hannah, R. Clark, & P. Christian (eds.), *Preservation of Client Rights*. New York: Free Press. pp. 204-221.
- Rosen, G.M. (1982). Self-help approaches to self-management. In K.R. Blankstein & J. Polivny (eds.), *Self-Control and Self-Modification of Emotional Behavior*. New York: Plenum Press. pp. 183-199.
- Rosen, G.M., Glasgow, R.E., & Moore, T. (2002). Self-help therapy: The science and business of giving psychology away. In S.O. Lilienfeld, J.M. Lohr, & S.J. Lynn (eds.), *Science & Pseudoscience in Contemporary Clinical Psychology*. New York: Guilford Publications, Inc. pp. 399-424.
- Rosen, G.M. (2003). Bibliotherapy. In W. O'Donohue, J.E. Fisher, & S.C. Hayes (eds.), *Cognitive Behavior Therapy: Applying Empirically Supported Techniques in Your Practice*. New York: John Wiley, Inc. pp. 46-50.
- Orr, S., McNally, R.J., Rosen, G.M., & Shalev, A.Y. (2004). Psychophysiological reactivity: Implications for conceptualizing PTSD. In G.M. Rosen (ed.), *Posttraumatic Stress Disorder: Issues and Controversies*. Chichester, England: John Wiley & Sons. pp. 101-126.

Curriculum Vitae
Page 9

CHAPTERS CONTINUED

Rosen, G.M. (2004). Malingering and the PTSD data base. In G.M. Rosen (ed.), *Posttraumatic Stress Disorder: Issues and Controversies*. Chichester, England: John Wiley & Sons. pp. 85-99.

Rosen, G.M., Glasgow, R.E., & Barrera, M., Jr. (2007). Good intentions are not enough: Reflections on past and future efforts to advance self-help. In P.L. Watkins, & G.A. Clum (eds.), *Handbook of Self-Administered Therapies*. Routledge Press.

BOOKS

Rosen, G.M. (1976). *Don't Be Afraid: A Program for Overcoming Your Fears and Phobias*. Englewood Cliffs: Prentice Hall, Inc.

Rosen, G.M. (1977). *The Relaxation Book: An Illustrated Self-Help Program*. Englewood Cliffs: Prentice Hall, Inc.

Rosen, G.M., Geyman, J.P., & Layton, R.H. (eds., 1980). *Behavioral Science in Family Practice*. New York: Appleton-Century-Crofts.

Rosen, G.M. (ed., 2004). *Posttraumatic Stress Disorder: Issues and Controversies*. Chichester, England: John Wiley & Sons. [2nd edition in preparation]

OTHER PUBLICATIONS

Rosen, G.M. (2005). Disorder of the day (Letter). *The New Yorker*, February 7.

[Revised 4/07]

EXHIBIT
2

GORDON TILDEN THOMAS & CORDELL LLP
ATTORNEYS AT LAW

1001 FOURTH AVENUE, SUITE 4000 • SEATTLE, WASHINGTON 98154-1007
TELEPHONE: (206) 467-6477 • FACSIMILE: (206) 467-6292
EMAIL: CGORDON@GORDONTILDEN.COM

June 4, 2007

Michelle Menely
Gordon, Thomas, Honeywell, Malanca,
Peterson & Daheim LLP
600 University Street, Suite 2100
Seattle, Washington 98101-4185

Re: *Rinde v. The Corporation of the President of the Church of Jesus Christ of Latter-Day Saints*

Dear Michelle:

We want to address several expert witness issues and would appreciate your giving us a call. We outline our concerns in writing so you can review the same with the lawyers on your team. Then we can decide whether we can stipulate regarding certain dates or whether the matter should be subject to motion practice.

First, we believe the plaintiff should disclose their expert witnesses at least a month before the defendant's disclosure. The Court's order contemplates a simultaneous disclosure effective November 8, 2007. Under the circumstances of this case, we believe the party carrying the burden of proof should disclose first. We enclose a draft stipulation which we request that you consider and execute.

Second, we want Mr. Rinde to be examined in Seattle by a consulting psychologist retained by us. We anticipate that this examination and related testing will require two consecutive days (second day would be less than four hours), as well as a half a day two or three days later. We request that we schedule this examination in late July and no later than mid-September 2007. We would appreciate your response to this request.

Third, we request that we jointly work to get production of all psychological testing data to date. None of this data (Dr. Winger—Douglas County Hospital and Dr. Manley—Two Rivers Psychiatric Hospital) was produced. If this data is available, we suspect Dr. Winger and/or Dr. Manley may require production only to a licensed psychologist. Can you have your legal assistant first contact their offices and see if the data exists; and, if so, under what conditions can we get copies of the same?

Michelle Menely

June 4, 2007

Page 2

We would appreciate your response to these issues. Thanks.

Yours very truly,



Charles C. Gordon

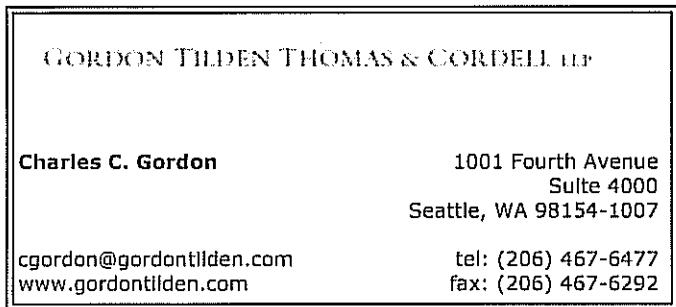
CCG:clr

Chuck Gordon

From: Chuck Gordon
Sent: Monday, June 04, 2007 3:15 PM
To: 'Menely, Michelle'
Subject: RE: scheduling issues

Have a great time. Chuck

Please note our change of firm name, web address and my new email address:



From: Menely, Michelle [mailto:MMenely@gth-law.com]

Sent: Monday, June 04, 2007 3:11 PM

To: Chuck Gordon

Subject: RE: scheduling issues

Chuck, I've sent to this to my team for discussion purposes and will get back to you. (I'm leaving for Spain in about 10 minutes! :))

-----Original Message-----

From: Chuck Gordon [mailto:cgordon@gordontilden.com]
Sent: Monday, June 04, 2007 2:02 PM
To: Menely, Michelle
Cc: Pfau, Michael; Tim Kosnoff; Jeff Tilden; Mike Rosenberger
Subject: scheduling issues

<< Message: Untitled Attachment >> << File: SCAN2007_000.pdf >>

Chuck Gordon

From: Chuck Gordon
Sent: Friday, June 22, 2007 3:26 PM
To: 'Menely, Michelle'
Subject: Dr. Rosen

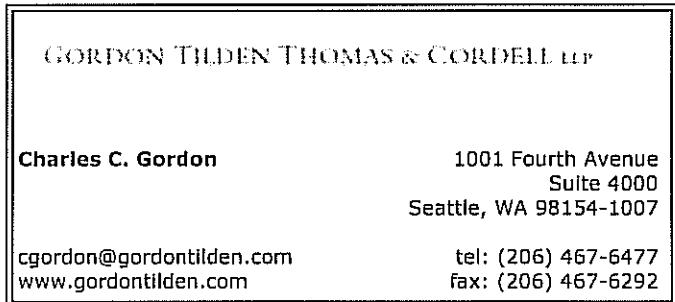
Michelle,

You requested that Dr. Rosen's evaluation be conducted in August. He is generally available in August--except for August 17 and 31. Remember, he wants two consecutive days (the second a half of a day) and a third session preferably the same week two days or so after the second session. The third session will be a half a day as well.

We would appreciate confirming dates convenient with Mr. Rinde. We would like to set the schedule as soon as practical—before Dr. Rosen's calendar changes.

Thanks, Chuck

Please note our change of firm name, web address and my new email address:

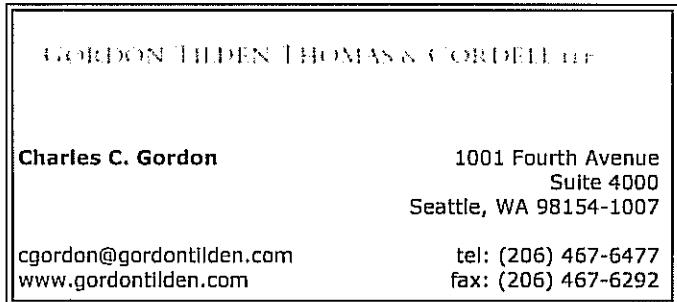


Chuck Gordon

From: Chuck Gordon
Sent: Wednesday, June 27, 2007 2:28 PM
To: 'Menely, Michelle'
Subject: RE: Rinde – Dr. Rosen

Thanks. Can we set the dates? How about August 6, 7 (half day) and 9 (half day)? Thanks, Chuck

Please note our change of firm name, web address and my new email address:



From: Menely, Michelle [mailto:MMenely@gth-law.com]

Sent: Tuesday, June 26, 2007 11:11 AM

To: Chuck Gordon

Subject: Rinde -- Dr. Rosen

Chuck, we are looking at the week of the 6th for Dr. Rosen's evaluation of Rob Rinde. Co-counsel is looking into getting the raw data.

Michelle Menely
Gordon Thomas Honeywell
Malanca Peterson & Daheim LLP
2100 One Union Square
Seattle, WA 98101
(206) 676-7532
Fax (206) 676-7575

This e-mail may contain confidential information that is legally privileged. The information is solely for the use of the addressee named above. If you are not the intended recipient, any disclosure, copying, distribution or other uses of the contents is strictly prohibited. If you have received this e-mail in error, please notify by return e-mail and delete this message. Thank you.

Chuck Gordon

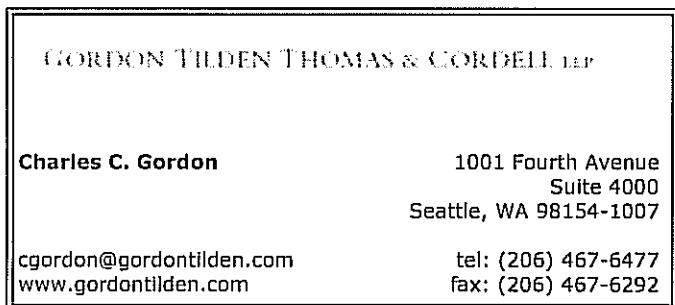
From: Chuck Gordon
Sent: Monday, July 09, 2007 12:52 PM
To: 'Menely, Michelle'
Cc: 'grosen@u.washington.edu'; Mike Rosenberger; Carol Russell
Subject: Rinde examination/interview
Attachments: SCAN2090_000.pdf

Michelle,

We want to confirm August 6, 7 (half day) and 9 (half day) for the above. Attached are directions to Dr. Rosen's office @ 2825 Eastlake Avenue East, Suite 205, Seattle 98102. All sessions will start at 9 am. Please confirm these dates as scheduling in the summer is difficult and it is important that we complete this work.

Regards, Chuck

Please note our change of firm name, web address and my new email address:



GERALD M. ROSEN, PH.D.
CLINICAL PSYCHOLOGIST

117 EAST LOUISA ST.
PMB 229
SEATTLE, WA 98102
grosen@u.washington.edu

PHONE: (206) 322-2700
FAX: (206) 322-5100
LICENSED: WA, AK, OR
www.forensicptsd.com

DIRECTIONS TO EASTLAKE CENTER
2825 Eastlake Avenue East, Suite 205
Seattle, WA. 98102

HEADING SOUTH ON 15

Take Roanoke Street Exit
Turn Right at Light
Go approximately two blocks (down hill)
At Light, turn Right on Eastlake
Follow directions below under section "Once you are at Eastlake"

HEADING NORTH ON 15

Take Lakeview Blvd Exit
Turn Left at Stop Sign
The road goes under the freeway and curves to the right
At Light, turn Left on Lynn
Go approximately two blocks (down hill)
At Light, turn Right on Eastlake
Follow directions below under section "Once you are at Eastlake"

HEADING WEST ON 520

Take Roanoke Street/15 North Exit
Take Roanoke Street turn off
At Light, turn Left on Roanoke
Go straight, over freeway, and continue straight after light
Go approximately two blocks (down hill)
At Light, turn Right on Eastlake
Follow directions below under section "Once you are at Eastlake"

ONCE YOU ARE AT EASTLAKE

Go several blocks and you will see two aqua blue buildings on left side of street
The aqua blue buildings are Eastlake Center
2825 is the North building
Park on Eastlake noting restricted times, or turn Left on Hamlin for paid parking
Take elevator to second floor
Suite 205 is just opposite the elevators
There isn't a receptionist, so please be seated in the lobby until the appointment time

NOTE: IF VISITING FROM OUT OF TOWN

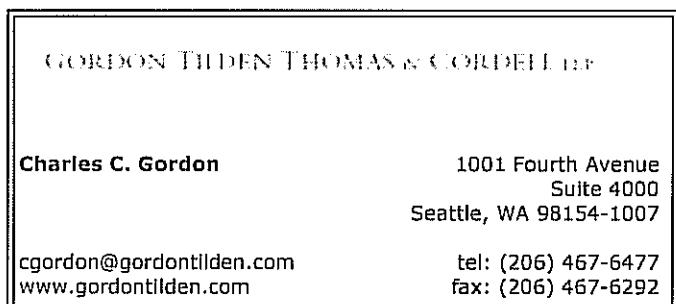
A convenient place to stay, if you are coming to Seattle from out of town, is the Residence Inn, located at the South end of Lake Union, about a mile from the office. Their phone number is 206-624-6000. Another location is the Watertown. Their reservation line is 866-944-4242.

Chuck Gordon

From: Chuck Gordon
Sent: Monday, July 09, 2007 2:13 PM
To: 'Menely, Michelle'
Cc: 'grosen@u.washington.edu'
Subject: RE: Rinde examination/interview

That's fine. I just do not want a last minute cancellation because of the obvious scheduling difficulties. Thanks,
Chuck

Please note our change of firm name, web address and my new email address:



From: Menely, Michelle [mailto:MMenely@gth-law.com]
Sent: Monday, July 09, 2007 2:04 PM
To: Chuck Gordon
Subject: RE: Rinde examination/interview

chuck, I will definitely confirm by end of business on Wednesday -- but I'll give you a 95% right now. Okay?

-----Original Message-----

From: Chuck Gordon [mailto:cgordon@gordontilden.com]
Sent: Monday, July 09, 2007 12:52 PM
To: Menely, Michelle
Cc: grosen@u.washington.edu; Mike Rosenberger; Carol Russell
Subject: Rinde examination/interview

<< Message: Untitled Attachment >> << File: SCAN2090_000.pdf >>

Chuck Gordon

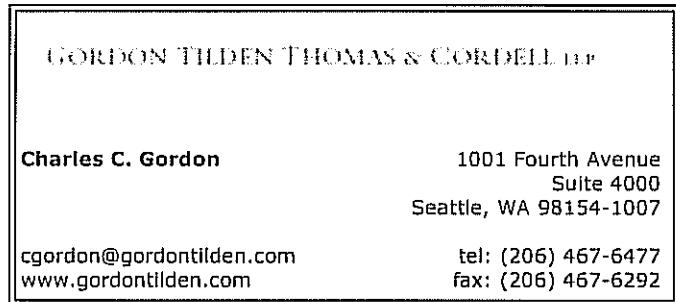
From: Chuck Gordon
Sent: Tuesday, July 17, 2007 9:36 AM
To: 'Menely, Michelle'
Subject: Rinde—Rosen examination

Michelle,

As a courtesy to Dr. Rosen and recognizing the examination was by agreement not court order, should we cancel the August 6, 7 and 9 examination given the motion to withdraw? If Rinde is planning on his own to attend we would like to keep the date as long as the litigation is pending. Let us know your thoughts.

Regards, Chuck

Please note our change of firm name, web address and my new email address:



Chuck Gordon

From: Chuck Gordon
Sent: Thursday, July 19, 2007 12:12 PM
To: 'Menely, Michelle'
Subject: Dr. Rosen examination---August 6, 7 and 9 in Seattle

Michelle, please have Mr.Rinde confirm whether or not he will attend the scheduled examination in the event the case is not dismissed. As your firm will no longer be involved at that time, we need to inform Dr. Rosen for his scheduling and planning as soon as possible. Thank you.

Regards, Chuck

Please note our change of firm name, web address and my new email address:

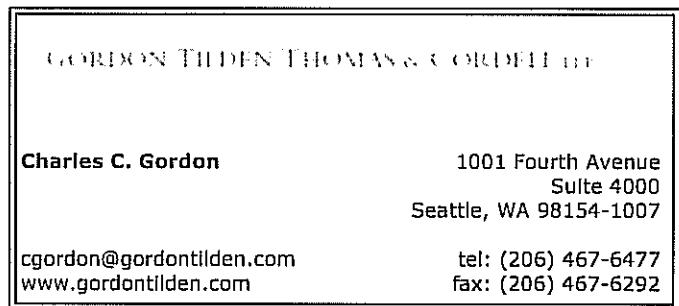


EXHIBIT
3

Chuck Gordon

From: Chuck Gordon
Sent: Thursday, July 05, 2007 2:37 PM
To: 'Menely, Michelle'
Cc: 'fleck@rogersfleck.com'
Subject: Robert Rinde—1996 retention
Attachments: SCAN2089_000.pdf

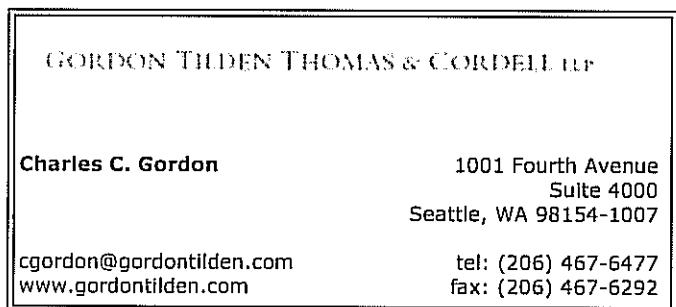
Michelle and Mary,

This will give you a "heads-up" regarding the above matter. Attached is a letter being mailed as we speak. We understand this presents an attorney/client issue which you will have to discuss. We ask that you let us know the extent, if any, that discovery will be allowed absent a ruling by Judge Robart.

Regards,

Chuck Gordon

Please note our change of firm name, web address and my new email address:



GORDON TILDEN THOMAS & CORDELL LLP
ATTORNEYS AT LAW

1001 FOURTH AVENUE, SUITE 4000 · SEATTLE, WASHINGTON 98154
TELEPHONE: (206) 467-6477 · FACSIMILE: (206) 467-6292
EMAIL: CGORDON@GORDONTILDEN.COM

July 5, 2007

VIA E-MAIL and U.S. MAIL

Michelle Menely
Gordon, Thomas, Honeywell, Malanca,
Peterson & Daheim LLP
600 University, Suite 2100
Seattle, Washington 98101-4185

Re: Robert Rinde f/k/a Robert Larry Leroy Pitsor v. Corporation of the President of the Church of Jesus Christ of Latter-day Saints

Dear Michelle:

As you may recall, the records of Dr. Nix reflect the retention of Mary Fleck by Robert Rinde in 1996. Examples of these references are included with this letter. We are copying Mary with this letter so that she is informed about what follows.

We believe that deposition/document discovery should be allowed to the extent Mr. Rinde sought out legal counsel in 1996 regarding a potential claim against either or both Mr. Lewis and the LDS Church. We anticipate that Mr. Rinde will defend against any statute of limitations motion based upon repressed memory or inability to connect his symptoms to the Scoutmaster abuse. In this regard, we believe the prevailing case law dictates that the information provided to Mary and her firm by Mr. Rinde would be discoverable. In short, Mr. Rinde's lawsuit has put his 1996 actions "at issue."

We would request the following:

1. You two confer and verify if any documents relating to the 1996 retention/consultation are still in existence. If so, we request that they be accumulated and maintained so as to avoid any inadvertent destruction.
2. You determine the extent, if any, of discovery that you will allow against Mary or other lawyers in her firm who may have participated in this retention.

Michelle Menely
July 5, 2007
Page 2

3. If discovery is not agreed, we request your cooperating in drafting an agreed statement of facts so that we can move the Court for discovery and avoid meaningless time and expense to establish an appropriate motion record.

In considering the above, we request you refer to Pappas v. Holloway, 114 Wn.2d 198 (1990); Hearn v. Rhay, 68 F.R.D. 574 (E.D. Wash. 1975); 1st Sec. Bank of Wash. v. Eriksen, 2007 U.S. Dist. LEXIS 4449 (W.D. Wash. 2007); Pyramid Controls, Inc. v. Siemens Industrial Automations, Inc., 176 F.R.D. 269 (N.D. Ill. 1997); Kordek v. United Agric. Products, Inc., 2007 U.S. Dist. LEXIS 27903 (N.D. Ill. 2007); and Darius v. Briscoe, 1999 Mass. Super. LEXIS 429 (Mass Super. Ct. 1999).

It is our intent to pursue this in the most effective and efficient manner. We look forward to your response to the above.

Yours very truly,



Charles C. Gordon

CCG:clr
Enclosures
cc: Mary Fleck
(with enclosures)

Clinical Summary

Notes From Interviews

RINDE', ROBERT

Following is a summary of contacts and notes from interviews with Robert Rinde'.

First Interview took place April 4, 1996. There were additional interviews of 5/2/96, 5/16/96, 6/6/96 and 6/20/96.

Notes provided the following information:

- Robert works for Labor and Industries in Olympia.
- He remembers situations going back to age 13 where, (a) he was raped by an LDS Scout Master; (b) this man, named Paul Lewis, is still in Maryland; (c) he was to seek a civil suit; (d) court reported offender to police; (e) no evidence of others being involved; (f) church looking for his records.
- Other concerns he has include: (a) his sexual activity has decreased significantly in marriage; (b) he has flashbacks to the molestation; (c) his sister molested him also as a child from age 7 through 16; (d) she was Kimmy Kay Pitsue, who was killed by the "Green River Killer"; (e) she forced him to have intercourse.
- Balance of our discussions centered around anxiety and we discussed anger and some strategies to deal with anxiety and anger.

5/10/96

Discussion included:

- He was trying to track down this individual.
- His wife is sick of the situation.
- He has told her he has to go outside of the church to get help.
- He has had ideation and dreams of homosexuality.
- We discussed several concepts regarding emotions, affect, etc.

5/16/96

We discussed several issues including:

- The man who molested him is in Cheyenne, Wyoming and has apparently been involved in scouting until recently.
- Robert has seen an attorney and wants to pursue the legal process.
- We discussed related issues including a lot of negative feedback that Robert has experienced in his life.
- We talked about trust.
- He still has some feelings and concerns and trust issues with church leaders.

6/6/96

We discussed the following:

- Robert indicated he had put things on the back burner. Today he is feeling okay about the church.
- He had an incident at work where he felt very anxious and scared. He described this as a mini panic attack.
- We discussed whether there was a tie in with his fear of the outcome.
- We talked about feelings of worthlessness and competence.
- He said he had some problems with phobic response in the past.
- He has indicated he wonders about multiple personalities and mentioned something

Clinical
Summary
(CONT):
7/3/96

RINDE', ROBERT

reverting back to age five. He also talked about his mother being very submissive.
- He asked about groups for individuals who have been sexually abused. I indicated that most of those were for females, but I would check.

6/20/96

We discussed the following:

- Robert indicates he still wants a group.
- We also discussed his attorney.
- We discussed him feeling safe.
- We also discussed an abusive female co-worker who apparently has some degree of authority over him and is regularly abusive.

The above is a summary of notes taken in our interviews regarding Robert's background abuse, current situation, problems and challenges he is facing, etc.

In addition to the above, we also received a call at our office from Robert's attorney, Mary Fleck, during the month of May. Mary faxed a Release of Information. I shared with her in a telephone conversation my observations and verified the fact that I felt the abuse had, of course, taken place and that there was significant impact which was affecting Robert today.

Submitted by: Marvin D. White, Agency Staff

April 28, 1997

President Galen L. Skeem
194 Carroll Way
Chehalis, WA. 98579
(360)748-4747

Robert P. Rindé
600 Black Lake Blvd. #76
Olympia, WA. 98502
(360)709-6248

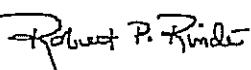
Dear President Skeem,

It has come to my attention that an agreement with the church, Ian Nix and myself is not being met by the church I have enclosed the statement of activity which includes record of payments. The agreement that I refer to was made verbally between myself and Bishop Hansen on or about June 06, 1996. At that time Bishop Hansen stated that these expenses minus insurance coverage would be paid in full by the church.

As you can see from the enclosed copy of this statement there is an out standing balance of \$1743.55. I would like to clear this expeditiously as possible. I would appreciate a reply in writing, you may respond to me at the above address.

I prefer to handle this matter personally, however, if necessary I will seek legal council to get this issue resolved. I expect to hear from you within fifteen calendar days from the date of this letter. If I do not hear from you by May 15, 1997. I will have no choice but to seek other avenues of remuneration. This does not include or exclude legal action.

Sincerely,



Robert P. Rindé

Enclosures:
cc: to

Bishop Matt Teagle

EXHIBIT
4

Chuck Gordon

From: Chuck Gordon
Sent: Wednesday, July 11, 2007 12:09 PM
To: 'Menely, Michelle'
Cc: 'jrs@mcgrannshea.com'
Subject: Mn. depositions

Attachments: Deposition List of Mental Health Providers.doc; Deposition List—Potential Minnesota Dps.doc

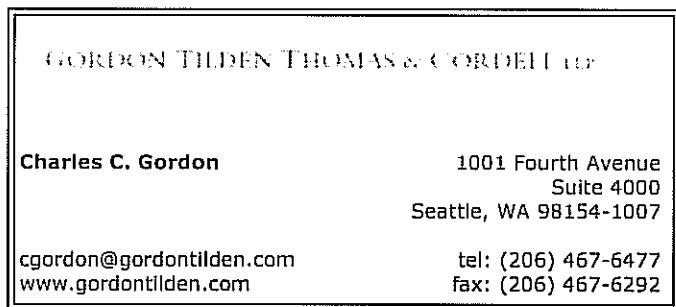
Michelle, I got your message. Let me know what is up. We have attached two documents listing depositions we would like to schedule at this time. I think the best approach is to determine the availability of the Health care providers and then see if we can fit in the two fact witnesses.

In this regard, two questions. First, will John Schulz or an attorney at his firm, take the lead on defending these depositions? If so, we will coordinate with his office. Second, do you have any problem with us contacting the appropriate nurses/scheduling clerks for these professionals to determine potential availability? We would not talk about anything except dates and places for the requested depositions.

It is our hope and intent to get this done in one week---if practical.

Let me know your thoughts on the above. Chuck

Please note our change of firm name, web address and my new email address:



RINDE v. COP

DEPOSITIONS OF MENTAL HEALTH PROVIDERS

1. Wendy Lemke
Clearwater Counseling Service
810 Clearwater Center
Clearwater, MN 55320
320-558-6037
2. Claudia Liljegren
Lakeside Mental Health Group
105 Second Avenue NE
Glenwood, MN 56334
320-634-3446
3. Allison Meisner, M.D.
Mental Health Unit
Douglas County Hospital
111 17th Avenue East
Alexandria, MN 56308
320-762-6040
4. Deane Mianolis, MD
Mental Health Unit
Douglas County Hospital
111 17th Avenue East
Alexandria, MN 56308
320-762-6040
5. Marilyn Tisserand
11208 Caty Road 12 NW
Garfield, MN 56332
320-834-2100
6. Maureen Winger
Mental Health Unit
Douglas County Hospital
111 17th Avenue East
Alexandria, MN 56308
320-762-6040

RINDE v. COP
POTENTIAL MINNESOTA DEPOSITIONS

1. Kate Hall
104 E. 8th Street
Starbuck, MN 56381
329-239-4700
2. Christopher Mattson
1018 Hawthorne Street
Alexandria, MN